

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
April 21, 2006

MEMBERS PRESENT:

Mr. James Davis (Chairman)
Mr. Joe Lambert
Mr. Clifford Odom
Mrs. Myra Pruitt (departing at 10:30 a.m.)
Mr. Leston Stallworth
Mr. Jon B. Blissitte (Vice-Chairman)(arriving at 8:09 a.m.)
Mr. Thomas E. Garrett
Mr. Fred Crochen (arriving at 8:15 a.m.)

MEMBER ABSENT:

Mr. Mandell Tillman

OTHERS PRESENT:

Mrs. Lisa Brooks
Ms. Neva Conway
Mr. D.J. Dixon
Mrs. Carolyn Greene

GUESTS PRESENT:

Mr. John Segrest (Examiners of Public Accounts)
Mr. Steve Martin

1.0 With quorum present Mr. Davis, Chairman called the meeting to order at 8:03 a.m. The meeting was held at the RSA Union Building, 100 N. Union Street, 3rd Floor Conference Room, Montgomery, Alabama.

1.1 The meeting was opened with prayer by Mr. Martin and then the Pledge of Allegiance.

2.0 Members present were Mr. James Davis, Mr. Clifford Odom, Mr. Leston Stallworth, Mr. Joe Lambert, Mr. Fred Crochen, Mr. Jon B. Blissitte, Mrs. Myra Pruitt and Mr. Thomas E. Garrett. Member absent was Mr. Mandell Tillman.

Mr. Davis welcomed the guests and asked the Board members to introduce themselves.

At this time Mr. Davis presented Mr. Martin with a Proclamation of Appreciation from the Governor Riley for his six years of dedicated service to the Board.

Following the presentation by Mr. Davis, Ms. Conway performed the swearing in of new Board members, Mr. Joe Lambert, replacing Mr. Steve Martin and Mr. Fred Crochen, replacing Mr. Otis Stewart.

- 3.0 On motion by Mr. Blissitte and second by Mrs. Pruitt the regular minutes for January 20, 2006 were approved as written. Motion carried by unanimous vote.

- 3.2 Ms. Conway included for Board information an Objection to Subpoena For Production of Documents in response to a subpoena received from Mobile County Circuit Court.

Ms. Conway also included in the Board books a letter from Mr. James R. Watson requesting a 5-week extension to complete education required in the Consent Settlement Order for AB-03-16 & AB-03-23, due to difficulty in scheduling the remaining 40 hour course. On motion by Mr. Garrett and second by Mrs. Pruitt, the Board voted to grant Mr. Watson an extension. Motion carried by unanimous vote.

- 4.0 Ms. Conway included documentation from the Secretary of States Office verifying that Senate Bill S-47 passed in the Spring Legislative Session. The Bill was signed by the Governor on March 3, 2006 and is now Act 2006-118. Senate Bill S-47 removed the requirement of the 15-hour USPAP every 6 years for continuing education.

At this time Ms. Conway introduced Mr. John Segrest from the office of Examiners of Public Accounts who addressed the Board regarding notification to complainants of the resolution of complaints. On motion by Mr. Stallworth and second by Mr. Garrett the Board voted to continue with the present policy. Motion carried by unanimous vote.

- 5.0 On motion by Mr. Garrett and second by Mrs. Pruitt the following applications were voted on as listed. Motion carried by unanimous vote.

- 5.1 **Trainee Real Property Appraiser applications approved:** Dana Boyd, James W. Butler, III, Christopher R. Copeland, Joshua Dixon, Dana Dodd, Markus W. Dunn, Jason D. Ellis, Henry S. Garrett, Howard A. Grigsby, Susan Hamilton, Benjamin F. Heidecker, Thomas S. Hill, Jr., William V. Holmes, George R. Hooper (Recip.)(TN), Alfreda W. Hubbard, Paul S. Johnson, Jason K. King, Kami W. Kornegay, Joseph L. LeMaster, Charles E. Long, Jr., Brian H. Lucas, Daniel C. Martin, Jerry L. Merrell, Craig R. Mettenbrink, Oralia Montgomery, Douglas L. Morris, Taylor Parks, Debra K. Richards, Michael A. Schilleci, Debbie N. Smith, Heather L. Teodosio (Recip.)(GA), James R. Thompson, IV, Bryant K. Turberville, James B. Utsey, Kevin F. Walton, Brandon H. Whigham.

- 5.2 **State Registered Real Property Appraiser application approved:** Michael J. Ward. **Application deferred:** Douglas G. Hicks.

- 5.3 **Licensed Real Property Appraiser applications approved:** William S. Baker, Shannon W. Brown (Recip.)(MS), William C. Douglas, Anderson M. Holcombe (Recip.)(GA), Theodore Lewis (Recip.)(TN), Bobby E. Scoggins (Recip.)(TN), Barry D. Waldrop (Recip.)(TN). **Applications deferred:** David V. Bussell, Nancy M. Case, Courtney Cooper, Jim Dennis, Amy R. Ivey, Lesa S. Knight.
- 5.4 **Certified Residential Real Property Appraiser applications approved:** Jimmy Barton, Tammy R. Fortenberry (Recip.)(MS), Lori Hutchenson (Recip.)(GA), John E. McAnnally, Melvin R. Mackey, Michael A. Manley, Linn F. Richards, Richard A. Talley, James G. Trzeciak (Recip.)(OH). **Applications deferred:** Cliff Bolden, Gregory S. Dalton, Edward W. Dean, Lisa K. Ferguson, Randy Grayson, James L. Hudspeth, Lawrence Sides.
- 5.5 **Certified General Real Property Appraiser application approved:** Jerry H. Bearden (Recip.)(GA), Casey C. Gill (Recip.)(MO), Phillip Goff (Recip.)(KS), Anthony V. Griffin (Recip.)(TX), John A. Kilpatrick, (Recip.)(MO), James M. Kleitz (Recip.)(GA), Karen R. Langridge (Recip.)(TX), Scott D. Smith (Recip.)(GA), Robert B. Tomlin, Janice M. Wildman (Recip.)(TX). **Applications denied:** Joseph W. Gattozzi, William D. Mackey.

Trainee/General Interview

11:00 a.m. – Robert (Brett) Tomlin – On motion by Mr. Garrett and second by Mr. Stallworth the Board voted to approve Mr. Tomlin to sit for the Certified General exam. Motion carried by unanimous vote.

After much discussion, on motion by Mr. Garrett and second by Mr. Odom, the Board voted to amend the policy of requiring a Board interview for Trainee to Certified General upgrades unless requested by the Board member reviewing the work samples. Motion carried by unanimous vote.

- 6.0 Mrs. Pruitt discussed the financial report with the Board. Mrs. Pruitt stated we were 50% into FY 06 and 36% into budget expenditures. Mrs. Pruitt stated there were no negative trends that could not be reconciled at this time. On motion by Mr. Blissitte and second by Mr. Odom the Board voted to approve the Financial Report. Motion carried by unanimous vote.
- 6.1 On motion by Mr. Garrett and second by Mr. Stallworth the following education courses and instructor recommendations were approved, deferred, or denied as indicated.

ALABAMA ASSOCIATION OF REAL ESTATE APPRAISERS

Initial Application:

- (CE) 7-Hour CompuTaught National USPAP Update Course Equivalent
(2005) – 7 Hours – On-Line
(Instructor: Everett S. Brooks)
Both Course and Instructor Approved

Initial Application:

- (LIC) An FHA Single Family Appraisal – 15 Hours – On-Line
(Instructor: Everett S. Brooks)
Both Course and Instructor Approved

Initial Application:

- (LIC) Basic Appraisal – 60 Hours – On-Line
(Instructor: Everett S. Brooks)
Both Course and Instructor Approved

Initial Application:

- (LIC) CompuTaught National USPAP Course Equivalent – 15 Hours –
On-Line
(Instructor: Everett S. Brooks)
Both Course and Instructor Approved

AMHI, ALABAMA MANUFACTURED HOUSING INSTITUTE

Initial Application:

- (LIC) Real Property Manufactured Housing Course – 22 Hours –
Traditional Classroom
(Instructors: Steve Morgan and Steven E. Mains)
Both Course and Instructors Approved

APPRAISAL INSTITUTE - CHICAGO

Initial Application:

- (LIC) Advanced Residential Applications and Case Studies, Part 1 –
(CE) 15 Hours – Traditional Classroom
(Instructors: Karen Oberman and Richard DuBay)
Both Course and Instructors Approved

Initial Application:

- (LIC) Advanced Residential Report Writing, Part 2 –
(CE) 30 Hours – Traditional Classroom
(Instructor: Richard DuBay)
Both Course and Instructor Approved

Initial Application:

- (CE) Online Business Practices and Ethics – 8 Hours – Online
(Instructor: J. Carl Schultz)
Both Course and Instructor Approved

Initial Application:

- (CE) Washington Appraisal Summit 2006 – 6 Hours –
Traditional Classroom
(Instructors: Alan Hummel, Terry Dunkin, David Snyder, Dave
Damron, Larry Disney and Gerald Kifer)
Both Course and Instructors Approved

CAREER WEBSCHOOL

Initial Application:

- (CE) A URAR Form Review – 7 Hours – Online
(Instructor: A. M. (Bud) Black)
Both Course and Instructor Approved

Initial Application:

- (LIC) Residential Report Writing & Case Studies – 15 Hours - Online
(CE) 14 Hours – Online
(Instructor: A. M. (Bud) Black)
Both Course and Instructor Approved

Initial Application:

- (LIC) Basic Appraisal – 60 Hours – Online
(Instructor: A. M. (Bud) Black)
Both Course and Instructor Approved

Initial Application:

- (LIC) Basic Appraisal Principles – 30 Hours – Online
(Instructor: A. M. (Bud) Black)
Both Course and Instructor Approved

Initial Application:

- (LIC) Basic Appraisal Procedures – 30 Hours – Online
(Instructor: A. M. (Bud) Black)
Both Course and Instructor Approved

INDEPENDENT FEE APPRAISERS

Initial Application:

- (CE) 1.2C Defending, Documenting and Supporting Appraisal Reports -
4 Hours – Traditional Classroom
Course Approved

Initial Application:

- (CE) 5.2A Fair Lending Requirements Seminar - 4 Hours –
Traditional Classroom
Course Approved

Initial Application:

- (CE) 16.2 The Appraisal of Foreclosure Properties - 7 Hours – Traditional Classroom
Course Approved

REAE, REAL ESTATE APPRAISAL EDUCATION

Initial Application:

- (CE) FHA and The New Form – 7 Hours – Traditional Classroom
(Instructor: Dennis Greene)
Both Course and Instructor Approved

MCKISSOCK APPRAISAL SCHOOL

Renewal:

- (CE) Appraising FHA Today – 7 Hours – Traditional Classroom
Course Approved

Initial Application:

- (CE) Appraising Real Estate Owned (REO) and Foreclosure – 7 Hours – Traditional Classroom
Course Approved

Initial Application:

- (CE) Environmental Pollution: Air & Mold Quality – 2 Hours – Virtual Classroom
(Instructor: Lyle Van Norman)
Both Course and Instructor Approved

Initial Application:

- (CE) Private Appraisal Assignments: What to Do-What Not to Do – 7 Hours – Traditional Classroom
Course Approved

Initial Application:

- (CE) Scope of Work – 7 Hours – Traditional Classroom
Course Approved

Initial Application:

- (CE) The Cost Approach – 7 Hours – Traditional Classroom
Course Approved

DEPARTMENT OF VETERANS AFFAIRS

- Richard J. Welch** – seeking Instructor approval to teach previously approved CE: VA Appraisal Guidelines and Updates
Instructor Approved

Motion carried by unanimous vote.

Course monitoring reports from Mr. Dixon were included for Board information.

6.2

AB-04-25: On November 18, 2005 the Board issued a private reprimand to a Certified Residential Real Property Appraiser. Licensee signed a Consent Settlement Order and agreed to pay a \$750 Administrative Fine and to complete 30 hours of appraisal education related to sales comparison approach. Violations are: Report is incorrectly labeled Limited and the Departure Rule is not invoked; the correct state certification is not contained in the body of the appraisal report; In the sales comparison approach, Licensee used sales to the exclusion of other sales located in the same market area as the subject which may yield a more reliable value. There was nothing in the work file to indicate Licensee considered these sales and why they were not used. 1-1(a); 1-4(a); 2-1(a); 2-1(b); 2-2(b)(ix), USPAP 2003 Ed., **§34-27A-3(b) (2), Code of Alabama, 1975.**

AB-03-53, AB-03-96, AB-04-80: On November 18, 2005 the Board suspended the Trainee Appraiser License of Dothan appraiser Darrell S. Willeford for three months beginning on December 1, 2005. Licensee signed a Consent Settlement Order and agreed to pay an administrative fine of \$1675 and take a 15-hour USPAP course with exam. Licensee will be on probation for 9 months after his license is reinstated. Violations:

AB 03-53 and AB 03-96: In two commercial appraisals, Licensee falsely certified that he performed an exterior inspection of all the comparables in the report; made false statements in the report to support the final estimated value which resulted in a misleading report; failed to exercise reasonable diligence in developing the appraisal; failed to assure that data which would have a material or significant effect on his opinions or conclusions was identified and analyzed; accepted data provided by the seller/owner of the subject property without verifying the data or confirming it. In the Sales Comparison Approach, Licensee failed to use accepted method in making adjustments to the comparable sales; adjustments revealed a bias towards the subject property to inflate the final estimated value. There was no basis for the 3% increase for time differences. The Income Approach was not developed correctly and is misleading and unreliable: Licensee placed the most weight for value on the Income Approach and then added \$18,000 to that value. Licensee reported that the appraisal was "subject to" with all deferred maintenance and repairs included in the estimated value but developed the report "as is". Licensee failed to perform the subject assignment with impartiality, objectivity, and independence and accepted an assignment that had a predetermined value. Licensee's final value was \$20,000 higher than the contract sale price using methods to develop all three approaches to value not accepted appraisal methods for the assignment. Licensee failed to disclose his lack of knowledge and/or experience to the client before accepting the appraisal assignment and failed to take all steps necessary or appropriate to complete the subject appraisal assignment competently. 34-27A-20(a)(7), §34-27A-20(a)(5), §34-27A-20(a)(6), §34-27A-20(a)(10) Code of Alabama, 1975; Ethics Rule-Conduct, 1-4(b)(i), 1-1(b), 1-1(a); 1-

4(a); 2-1(a); 2-1(b); 2-2(b)(ix), 1-1(a); 1-3(b); 1-4(c)(i); 1-4(c)(ii); 1-4(c)(iii); 1-4(c)(iv); 2-1(a); 2-1(b), 1-1(a); 1-1(b); 2-1(a); 2-2(b)(viii); 2-2(b)(ix), Ethics Rule – Management, Competency Rule; USPAP 2002 Ed.

AB 04-80: an appraisal of a residential property, Licensee falsely certified that the subject was 100% complete when it was no more than 60% complete and then falsely certified that the subject was 85 – 90 % complete when it still was no more than 60% complete. Violation: §34-27A-20(a)(7), §34-27A-20(a)(8), §34-27A-20(a)(5), Code of Alabama, 1975; 1-1(a), 1-1(b), 1-1(c); 2-2(a); Ethics Rule - Conduct; USPAP, 2004 Ed.

AB 04-28, AB 04-29, AB 04-68: On November 18, 2005 the Board issued a private reprimand to a Certified Residential Appraiser. Licensee signed a Consent Settlement Order and agreed to pay a \$3000 administrative fine and take 30 hours residential sales comparison analysis course.. In two residential appraisals, **AB 04-28, AB 04-29**, Licensee incorrectly labeled the report a Limited Report and the Departure Rule is not invoked. Licensee failed to include the correct state certification statement in the body of the appraisal report. The intended use of the appraisal is not stated in the report. Licensee failed to provide descriptive narrative in support of the difference between the actual age and estimated age for the subject property. There is no explanation of the method used to estimate physical depreciation in the Cost Approach. In the Sales Comparison Approach, Licensee used sales to the exclusion of sales in the same market area as the subject property that may yield a more reliable indication of value. There was nothing in the report or work file to indicate Licensee considered these sales and why they were not used. Licensee demonstrated a misunderstanding to complete the appraisal assignment by reporting that the appraisal is developed as a Limited Appraisal when the Departure Rule has not been invoked, by his failure to employ accepted appraisal methodology in the Sales Comparison Analysis. 1-1(a); 1-4(a); 2-1(a), 2-1(b); 2-2(b)(ii); 2-2(b)(vii), 2-2(b)(ix), Competency Rule, USPAP 2002 and 2003 Ed.; § 34-27A-3(b)(2) Code of Alabama, 1975

AB 04-68: Licensee did not disclose the reporting option for the appraisal. 2-2(a); USPAP, 2004 Ed.

AB 04-33: On January 20, 2006, the Board issued a private reprimand to a Certified Residential appraiser for a residential appraisal he completed as a Trainee appraiser. Licensee agreed to pay a \$1500 fine, complete a 7- hour comparative sales analysis course. The violations were: This violation was committed by developing and reporting the appraisal using dissimilar sales from superior subdivisions as comparable sales when similar sales were available in the subject's market area. The result of the use of the dissimilar sales was a substantial overvaluation of the subject property. Licensee failed to accurately set forth the appraisal report in a manner that was not misleading. 1-1(a), 1-1(b), 1-1(c); 2-2(a); USPAP; 2000 Edition.

AB 05-31: On January 20, 2006, the Board issued a private reprimand to a Certified General appraiser for a residential appraisal he signed as the supervisor of a Trainee appraiser. Licensee agreed to pay a \$500 fine. The violations were: inadequate supervision of a Trainee appraiser; selection of a comparable that required so much adjustment in the sales comparison grid that it did not meet the definition of comparable sale; garage S.F. was included in the basement and garage; and the property address was incorrectly reported. 780-X-9.01, Appraisers Board Administrative Code, 2001, §34-27A-20(a)(9), Code of Alabama, 1975, 1-1(a), 1-4(a), 1-1(b), 1-4(b)(ii), 1-1(c), USPAP, 2005 Ed.

AB 05-35: On January 20, 2006, the Board issued a private reprimand to a Certified Residential for a residential appraisal. Licensee agreed to pay a \$1000 fine and take a 7 hour USPAP course.. The violations were: Licensee failed to retain true and correct copies of the appraisal report; The carport was classified as a two-bay carport instead of a one-bay carport which caused the report to be misleading; the front porch and storage area at the rear of the subject were not included in the cost approach; Comparable #4 was not a closed sale and this was not disclosed in the report; Licensee failed to analyze the sales contract where there was a substantial down payment credit resulting from a lease/purchase agreement referenced in the sales contract; Licensee did not disclose why this information was not available or the efforts made to obtain it; Licensee failed to disclose that significant real property assistance was provided by another certified residential appraiser. §34-27A-26, Code of Alabama, 1975; Ethics-Record Keeping, Ethics-Conduct, 1-2(e)(i), 1-1(a), 1-1(b), 1-1(c), 1-5(a), 2-3, USPAP, 2004 Ed.

AB 03-77, AB 03-95, AB 04-79: On January 20, 2006, the Board accepted the voluntary surrender of license from Clarence R. Wilkins, a Dothan Certified Residential appraiser. The surrender was made in lieu of a formal hearing scheduled on these cases. The violations were: AB 03-77 and AB 03-95 In two commercial appraisals, Licensee falsely certified that he performed an exterior inspection of all the comparables in the report; made false statements in the report to support the final estimated value which resulted in a misleading report; failed to exercise reasonable diligence in developing the appraisal; failed to assure that data which would have a material or significant effect on his opinions or conclusions was identified and analyzed; accepted data provided by the seller/owner of the subject property without verifying the data or confirming it. In the Sales Comparison Approach, Licensee failed to use accepted method in making adjustments to the comparable sales; adjustments revealed a bias towards the subject property to inflate the final estimated value. There was no basis for the 3% increase for time differences. The Income Approach was not developed correctly and is misleading and unreliable: Licensee placed the most weight for value on the Income Approach and then added \$18,000 to that value. Licensee reported that the appraisal was "subject to" with all deferred maintenance and repairs included in the estimated value but developed the report "as is". Licensee failed to perform the subject assignment with impartiality, objectivity, and

independence and accepted an assignment that had a predetermined value. Licensee's final value was \$20,000 higher than the contract sale price using methods to develop all three approaches to value that are not accepted appraisal methods for the assignment. Licensee failed to disclose his lack of knowledge and/or experience to the client before accepting the appraisal assignment and failed to take all steps necessary or appropriate to complete the subject appraisal assignment competently. Violation: 34-27A-20(a)(7), §34-27A-20(a)(5), §34-27A-20(a)(6), §34-27A-20(a)(10) Code of Alabama, 1975; Ethics Rule-Conduct, 1-4(b)(i), 1-1(b), 1-1(a); 1-4(a); 2-1(a); 2-1(b); 2-2(b)(ix), 1-1(a); 1-3(b); 1-4(c)(i); 1-4(c)(ii); 1-4(c)(iii); 1-4(c)(iv); 2-1(a); 2-1(b), 1-1(a); 1-1(b); 2-1(a); 2-2(b)(viii); 2-2(b)(ix), Ethics Rule – Management, Competency Rule; USPAP 2002 Ed.

AB 04-79, an appraisal of a residential property, Licensee falsely certified that the subject was 100% complete when it was no more than 60% complete and then falsely certified that the subject was 85 – 90 % complete when it still was no more than 60% complete. Violation: §34-27A-20(a)(7), §34-27A-20(a)(8), §34-27A-20(a)(5), Code of Alabama, 1975; 1-1(a), 1-1(b), 1-1(c); 2-2(a); Ethics Rule - Conduct; USPAP, 2004 Ed.

Letters of Warning were issued on the following investigations for the discrepancies indicated. This disciplinary action will be considered in any future discipline proceedings:

AB-05-70: On November 10, 2005 to a Certified Residential Appraiser for a residential appraisal where the basement area and a workshop were omitted from the appraisal and where appraiser failed to disclose the significant real property assistance of another appraiser who developed and prepared the report for Licensee's signature. Violation: 1-1(a); 1-1(c); 2-1(a); 2-1(b), 2-3; USPAP, 2001 Ed.

AB 05-125: On February 23, 2006 to a Certified Residential Appraiser for a residential appraisal where the correct state certification was not included in the report and the photo addendum for the subject front photo was of a different section of the condominiums than where the subject was located which is misleading, §34-27A-3(b)(2), §34-27A-20(a)(8), Code of Alabama, 1975.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board since last meeting the Board received 25 new complaints, 3 complaints were dismissed and 5 were settled with a total of 155 open complaints. The Board discussed the fact that we are down to only one investigator at this time.

Ms. Conway asked the Board to review the procedure for handling complaints against sitting Board members. The Board instructed Ms. Conway to gather information from adjoining states for their consideration.

Mr. Garrett discussed the possibility of a committee reviewing new complaints to determine the need to proceed with a formal investigation. The Disciplinary Committee will take this up in the May committee meeting. Ms. Conway will draft rules for administrative rule procedure.

6.2.1 The Board reviewed Probable Cause Report **AB-05-89**: On motion by Mr. Blissitte and second by Mr. Odom, the Board voted that Probable Cause does exist and to issue a Letter of Warning. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-90**: On motion by Mr. Blissitte and second by Mr. Odom, the Board voted that Probable Cause does exist and to issue a Letter of Warning. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-05-91**: On motion by Mr. Stallworth and second by Mr. Odom, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-99**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does exist and to issue a Letter of Warning. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-100**: On motion by Mr. Stallworth and second by Mr. Odom, the Board voted that Probable Cause does exist and to issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-108**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does exist and to proceed with a formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-109**: On motion by Mr. Garrett and second by Mr. Odom, the Board voted that Probable Cause does exist and to proceed with a formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-04-52**: On motion by Mr. Garrett and second by Mr. Odom, the Board voted that Probable Cause does exist and to proceed with a formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-01**: On motion by Mr. Blissitte and second by Mr. Garrett, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-11**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-13**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-15**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-17**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-19**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-21**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-36**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-39**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-37**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-05-46**: On motion by Mr. Odom and second by Mr. Stallworth, the Board voted that Probable Cause does not exist and that this case be dismissed. Motion carried by unanimous vote.

- 6.2.2 The Board reviewed anonymous complaint **AB-06-09 (Supervisor)** and **AB-06-08 (Trainee)**. On motion by Mr. Garrett and second by Mr. Stallworth the Board voted to initiate formal complaints. Motion carried by unanimous vote.
- Ms. Conway explained the different disciplinary methods for the new Board members benefit.
- 6.2.3 The Board reviewed Consent Settlement Order on **AB-05-82**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.
- The Board reviewed Consent Settlement Order on **AB-05-79 and AB-05-81**. On motion by Mr. Garrett and second by Mr. Stallworth the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.
- The Board reviewed Consent Settlement Order on **AB-05-78, AB-05-80, and AB-05-92**. On motion by Mr. Garrett and second by Mr. Stallworth the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.
- 6.3 Mrs. Brooks reported that the Florida Real Estate Appraisers Board voted in February to accept the Florida-Alabama Mutual Recognition Agreement. On motion by Mr. Garrett and second by Mr. Blissitte the Board voted to approve the agreement as written. Motion carried by unanimous vote.
- 6.4 The following reciprocal licenses were issued since last meeting: Jerry H. Bearden (G)(GA), Shannon W. Brown (L)(MS), Tammy R. Fortenberry (R)(MS), Casey C. Gill (G)(MO), Phillip Goff (G)(KS), Anthony V. Griffin (K)(TX), Anderson M. Holcombe (L)(GA), George R. Hooper (T)(TN), Lori M. Hutchenson (R)(GA), John A. Kilpatrick (G)(MO), Karen R. Langridge (G)(TX), Theodore Lewis (L)(TN), Bobby E. Scoggins (L)(TN), Scott D. Smith (G)(GA), Heather L. Teodosio (T)(GA), James G. Trzeciak (R)(OH), Barry D. Waldrop (L)(TN), Janice M. Wildman (G)(TX).
- 7.0 The temporary permit report was provided to the Board for their information.
- 8.0 Mrs. Brooks included for Board information the confirmation letters for Mr. Joe Lambert and Mr. Frederick C. Crochen, Sr.
- Mrs. Brooks asked the Board for approval to re-allocate one of the agency's two ASA II classifications into a Legal Research Assistant classification. On motion by Mr. Garrett and second by Mr. Odom, the Board voted to approve the request for re-allocation this position. Motion carried by unanimous vote.

Mrs. Brooks asked the Board for permission to drive one of the agency's vehicles. On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to assign Mrs. Brooks the agency Impala. Motion carried by unanimous vote.

Mrs. Brooks presented for consideration the new Mentor Application. After much discussion on motion by Mr. Garrett and second by Mr. Blissitte, the Board approved this application, to include a \$200 application fee and a change to inquire about the disciplinary history of the applicant for only the past 5 year period. The Board asked Ms. Conway to file the new application with Legislative Reference for both emergency and permanent APA adoption.

Mr. Davis discussed with the Board the possibility of terminating the State Registered Real Property Appraiser classification. Ms. Conway explained that the classification can only be removed by the Legislature.

The Board discussed the need for trainees to supply the names of their mentors and the possibility of revoking the mentor status if a complaint is filed on a trainee and there are violations that the mentor should have caught. The Board asked Ms. Conway to obtain trainee/mentor policies from other states.

Mrs. Brooks included for Board information the following items:

- A letter from the State Personnel Board approving the Executive Director salary.
- A letter from the State Personnel Department recommending changes in the Real Estate Appraisal Investigator position was discussed by the Board. In addition to State Personnel recommendations the Board suggested to make a change that a Licensed Real Property Appraiser, Certified Residential Real Property Appraiser or Certified General Real Property Appraiser can be considered for this position immediately upon certification. On motion by Mr. Garrett and second by Mr. Blissitte the Board voted that the recommended changes from the State Personnel Department and our Board be approved. Motion carried by unanimous vote.
- A letter from the State Auditor of Alabama, commending the Board on a successful property audit.
- A letter from the State Examiners of Public Accounts office announcing the scheduling of the 2006 regulatory Board Member Training event for August 23, 2006.
- A letter on behalf of L. Alexander McCall requesting a waiver of limitation on experience credit for appraisal work in a unique area. On motion from Mr. Blissitte and second from Mr. Garrett the Board voted to table the issue. Motion carried by unanimous vote.

9.0 At 11:59 a.m. on motion by Mr. Blissitte and second by Mr. Garrett the Board voted to adjourn. Motion carried by unanimous vote.

Sincerely,

Carolyn Greene
Executive Secretary

CG

APPROVED: _____
James Davis, Chairman